

4.5. The Examiner has rejected claims 30-55 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-26 of U.S. Patent No. 6,174,167. The Examiner has indicated that a timely filing of a Terminal Disclaimer in compliance with 37 CFR 1.321 may be used to overcome this rejection. The required Terminal Disclaimer is enclosed herewith.

In view of the foregoing, it is respectfully submitted that the application is now in a condition for allowance. Should the Examiner believe that a telephone interview would help advance the prosecution of this case, the Examiner is requested to contact the undersigned attorney at (650) 849-7603.

The Small Entity fee for processing the attached Terminal Disclaimer is believed to be \$55.00. Please charge this fee and any additional fees or credits that are due in connection with the filing of this Amendment to Pennie & Edmonds LLP Deposit Account No. 16-1150 (order no. 9677-0004-999). A copy of this sheet is enclosed for such purpose.

Respectfully submitted,

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